

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING

OF

TUESDAY, OCTOBER 12, 1982

AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Killea at 8:43 a.m. The meeting was recessed by Deputy Mayor Killea at 8:45 a.m. into the Special Joint Council Meeting with the Redevelopment Agency. Deputy Mayor Killea adjourned the Special Joint meeting at 8:47 a.m. to convene as the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Killea at 8:55 a.m. with Council Member Struiksma and Mayor Wilson not present. The meeting was recessed by Deputy Mayor Killea at 9:20 a.m. into Closed Session in the Twelfth Floor Conference on pending litigation. The meeting was reconvened by Deputy Mayor Killea at 9:39 a.m. with Council Member Struiksma and Mayor Wilson not present. The meeting was recessed by Deputy Mayor Killea at 9:58 a.m. to reconvene at 10:30 a.m. At 10:40 a.m., the Deputy City Clerk announced that due to a lack of quorum, Item 334 scheduled for 10:30 a.m. was trailed to 2:00 p.m.

The meeting was reconvened by Deputy Mayor Killea at 2:11 p.m. with Council Members Cleator, Golding, and Struiksma and Mayor Wilson not present.

Deputy Mayor Killea presented Commodore Carmichael with a proclamation proclaiming October 10 through 16, 1982, as Navy Week.

Deputy Mayor Killea recessed the meeting at 4:45 p.m. to convene as the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Killea at 4:48 p.m. with Council Member Struiksma and Mayor Wilson not present.

Chairperson Mitchell recessed the meeting at 5:13 p.m. to convene at 1:30 p.m. on October 14, 1982, at the County Administration Building, to discuss the matter of the SANDER project. Said meeting adjourned at 4:00 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-excused by R-257341 (vacation).

(1) Council Member Mitchell-present.

(2) Council Member Cleator-present.

(3) Council Member Golding-present.

(4) Council Member Williams-present.

(5) Council Member Struiksma-present.

(6) Council Member Gotch-present.

(7) Council Member Murphy-present.

(8) Council Member Killea-present.

Clerk-Mutascio (jb a.m.; mp p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Mutascio called the roll:  
Mayor Wilson-not present.  
Council Member Mitchell-present.  
Council Member Cleator-present.  
Council Member Golding-present.  
Council Member Williams-not present.  
Council Member Struiksma-not present.  
Council Member Gotch-present.  
Council Member Murphy-present.  
Council Member Killea-present.

ITEM-30: APPROVED BY COUNCIL

Approval of Council Minutes for the meetings of:  
8/23/82 P.M.  
8/24/82 A.M. and P.M.  
8/24/82 A.M. Special Meeting  
8/30/82 P.M.  
8/31/82 A.M. and P.M.  
9/13/82 P.M.  
9/14/82 A.M. and P.M.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A208-213).

MOTION BY CLEATOR TO APPROVE THE MINUTES. Second by Williams.

Passed by the following vote: Mitchell-yea, Cleator-yea,  
Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea,  
Killea-yea, Mayor Wilson-not present.

ITEM-31: (R-83-440) ADOPTED AS RESOLUTION R-257327

A Resolution adopted by the City Council in Closed Session  
on Tuesday, August 24, 1982 by the following vote:  
Mitchell-not present, Cleator-yea, Golding-yea, Williams-not  
present, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea,  
Mayor Wilson-not present.

Authorizing the City Manager to pay the total sum of \$20,000  
in the settlement of each and every claim against the City, its  
agents and employees, resulting from the personal injuries to  
John B. Schilling, Laura Ann Schilling, Deanna M. Schilling and  
Heather L. Schilling (Superior Court Case No. 407295, John B.  
Schilling, et al. v. William Heyenga, et al.); authorizing the  
City Auditor and Comptroller to issue one check in the total

amount of \$20,000 made payable to John B. Schilling, Laura Ann Schilling, Deanna M. Schilling, a minor, Heather L. Schilling, a minor, by and through their guardian ad litem, Laura A. Schilling and to their attorney, Donald W. Schmidt, in full settlement of the lawsuit and all claims.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A215-235).

MOTION BY CLEATOR TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-32: (R-83-477) ADOPTED AS RESOLUTION R-257328

A Resolution adopted by the City Council in Closed Session on Tuesday, September 21, 1982 by the following vote: Mitchell-yea, Cleator-not present, Golding-yea, Williams-not present, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-not present, Mayor Wilson-not present.

Authorizing the City Manager to pay the total sum of \$10,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the alleged property damage to William Hillyer (Superior Court Case No. 456260, William Hillyer and Betty Hillyer v. Bank of America, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$10,000 made payable to William Hillyer, Betty Hillyer, and their attorney, Brown Smith, of Hillyer & Irwin, in full settlement of the lawsuit and all claims.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A215-235).

MOTION BY CLEATOR TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-150: (R-83-495) ADOPTED AS RESOLUTION R-257329

Expressing support for the Tree Tops Unlimited Reorganization, subject to terms and conditions that may be imposed; authorizing the conveyance of such expression of support to the San Diego Local Agency Formation Commission.

(See Planning Department Report PDR-82-426.)

COMMITTEE ACTION: Reviewed by TLU on 9/27/82. Recommendation to adopt the

Resolution. Districts 4, 5 and 7 voted yea. Districts 1 and 3 not present.

FILE LOCATION:

ANNEX Tree Tops Unlimited Reorganization

COUNCIL ACTION: (Tape location: A240-297).

MOTION BY WILLIAMS TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-151: (R-82-1057) ADOPTED AS RESOLUTION R-257330

Approving and adopting the rules and regulations for Cable Television Public Access as set forth in Enclosure (1) and authorizing the Cable Television Franchise holders to operate their public access channel accordingly.

(See City Manager Report CMR-82-17 and TLU Committee Consultant Analysis TLU-82-17.)

COMMITTEE ACTION: Reviewed by TLU on 9/27/82. Recommendation to adopt the Resolution. Districts 4, 5 and 7 voted yea. Districts 1 and 3 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A298-333).

MOTION BY WILLIAMS TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-152: (R-82-1102) ADOPTED AS RESOLUTION R-257331

Amending Council Policy 600-15 regarding street vacations and easement abandonments.

(See City Manager Report CMR-82-319 and TLU Committee Consultant Analysis TLU-82-12.)

COMMITTEE ACTION: Reviewed by TLU on 9/13/82. Recommendation to adopt the Resolution. Districts 1, 3, 4, 5 and 7 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A335-412 & A620-649).

MOTION BY MURPHY TO ADOPT AND DIRECT THE CITY MANAGER TO BRING

THE FEE SCHEDULE FOR STREET VACATIONS BACK TO THE COUNCIL AT ITS

NEXT REGULAR MEETING IN TWO WEEKS AND NOT TO PROCESS ANY STREET

VACATION APPLICATIONS UNTIL THAT TIME. Second by Gotch. Passed by

the following vote: Mitchell-yea, Cleator- yea, Golding-yea,  
Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea,  
Killea-yea, Mayor Wilson-not present.

ITEM-200: (R-83-511) ADOPTED AS RESOLUTION R-257340

Approving the acceptance by the City Manager of that grant deed of McMillin Scripps Two, a joint venture composed of McMillin Development, Inc. and Financial Scene, Inc., formerly MLM Development, Inc., granting to City a portion of Section 33, Township 14 South, Range 2 West, S.B.B.M., for Scripps Miramar Ranch Community Park; authorizing and approving the expenditure of \$505,000 from Park Service District 11230 fees, CIP-29-408, to cover the cost of acquisition of said park.

(Located easterly of Lake Miramar in the Miramar Ranch North Community. Scripps Ranch Community Area. District-5.)

FILE LOCATION:

DEED F-1610

COUNCIL ACTION: (Tape location: A413-520;F600-720).

Motion by Mitchell to adopt. Second by Gotch. No vote.

MOTION BY CLEATOR TO REFER THE ITEM TO THE PUBLIC FACILITIES

AND

RECREATION COMMITTEE AND REQUEST A RESPONSE TO HIS AND  
COUNCIL

MEMBER MURPHY'S QUESTIONS. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

MOTION BY CLEATOR TO RECONSIDER ITEM-200 WHICH WAS ACTED  
UPON

DURING THE A.M. PORTION OF THE MEETING. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma- yea, Gotch-not present, Murphy-yea, Killea-not present, Mayor Wilson-not present.

MOTION BY STRUIKSMA TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma- yea, Gotch-not present, Murphy-yea, Killea-not present, Mayor Wilson-not present. Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-330: (R-83-517) CONTINUED TO NOVEMBER 9, 1982

Adopting the amendment to the 1969 Southeast Community Plan.  
FILE LOCATION:

LAND Southeast Community Plan

COUNCIL ACTION: (Tape location: A010-030).

MOTION BY GOTCH TO CONTINUE TO NOVEMBER 9, 1982, AT FRANK GRECO'S

REQUEST. Second by Golding. Passed by the following vote:  
Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not  
present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not  
present.

ITEM-331: (R-83-516) CONTINUED TO NOVEMBER 9, 1982

Authorizing the City Auditor and Comptroller to transfer  
\$150,000 from the Helix Heights Project (Fund 18518, Dept.  
5617, Org. 1705) to the Redevelopment Agency's Mount Hope  
Redevelopment Project for administration by the Southeast  
Economic Development Corporation.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A010-030).

MOTION BY GOTCH TO CONTINUE TO NOVEMBER 9, 1982, AT FRANK GRECO'S

REQUEST. Second by Golding. Passed by the following vote:  
Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not  
present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not  
present.

ITEM-332:

19821012

Matter of rezoning a portion of Section 27, Township 18  
South, Range 2 West, S.B.B.M. (a 4.9 acre site), located on the  
east side of 27th Street, approximately 625 feet north of Iris  
Avenue, in the Otay Mesa- Nestor Community Plan Area, from Zone  
R-1-10 to Zone R-2.

(Case-82-0363. District-8.)

Subitem-A: (R-83-428) ADOPTED AS RESOLUTION R-257332

Adoption of a Resolution certifying that the information  
contained in Environmental Negative Declaration END-82-0363 has  
been completed in compliance with the California Environmental  
Quality Act of 1970 and State guidelines, and that said  
declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-67) INTRODUCED, TO BE ADOPTED OCTOBER 25,  
1982

Introduction of an Ordinance for R-2 Zoning.

FILE LOCATION: ZONE 10/12/82

COUNCIL ACTION: (Tape location: A560-619).

Hearing began at 9:39 a.m. and halted at 9:41 a.m.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT SUBITEM-A AND  
INTRODUCE SUBITEM- B. Second by Golding. Passed by the following  
vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea,  
Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor  
Wilson-not present.

ITEM-333:

19821012

A proposal to approve "Mission Trails Regional Park  
Reorganization" involving the annexation of approximately 508  
acres to the City of San Diego and detachments from the Santee  
Fire Protection District and the San Diego County Flood Control  
District - Zone 2.

The territory proposed for annexation and detachment from  
the San Diego County Flood Control District - Zone 2 is  
generally located north and west of Mission Gorge Road and east  
of Clairemont Mesa Boulevard and within the boundaries of the  
Mission Trails Regional Park. The territory proposed for  
detachment from the Santee Fire Protection District is that  
portion of the proposed annexation lying easterly of the  
easterly section line boundaries of theoretical Sections 23 and  
26, Township 15 South, Range 2 West, S.B.B.M.

(District-7.)

Subitem-A: (R-83-457) ADOPTED AS RESOLUTION R-257333

Adoption of a Resolution making determinations and ordering  
reorganization, "Mission Trails Regional Park Reorganization."

Subitem-B: (R-83-458) ADOPTED AS RESOLUTION R-257334

Adoption of a Resolution of Intention to annex territory to  
the San Diego Open Space Park District No. 1.

Subitem-C: (O-83-71) INTRODUCED, TO BE ADOPTED OCTOBER 25,  
1982

Introduction of an Ordinance to incorporate territory into  
Councilmanic District No. 7.

FILE LOCATION: ANNEX Mission Trails Regional Park Reorganization

COUNCIL ACTION: (Tape location: A650-B187).

Hearing began at 9:43 a.m. and halted at 9:58 a.m.

Motion by Gotch to direct the City Manager to look into the issue of existing signs that are no longer needed along Friars Road, Pomerado Road, Mission Gorge and in the Scripps Ranch Area which read "Entering" and "Leaving" San Diego, and have them removed. Direct the Planning Department to: 1) Set as a goal the completion of annexation proceedings and have all the recordations done by the end of the calendar year; 2) Initiate discussions with property owners in the Grantville area, Districts 5 and 7 in an effort to bring about annexation applications of remaining County islands and pockets in the Mid North City area to eventually result in annexation; 3) Make a status report back to the Transportation and Land Use Committee before the end of the year in response to his motion as well as the status of the Planning Department's attempt to have those areas in Grantville annexed; and 4) Report on the Department's ability to get the Mission Trails area annexed to the City of San Diego prior to December 31, 1982 and give an update at that time on whether or not this has been achieved. Second by Murphy. Passed. Yeas: 1,2,3,4,6,7,8. Not present: 5,M.

MOTION BY MURPHY TO CLOSE THE HEARING, ADOPT SUBITEMS-A AND B,  
AND INTRODUCE SUBITEM-C. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmá-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-334:

19821012

(Continued from the meeting of September 28, 1982 at William Jensen's request.)

Matter of rezoning a portion of Lot 1, Fordsville Subdivision Map-5472 (a 0.5 acre site), located on the northwest corner of Market Street and Euclid Avenue, in the Southeast San Diego Community Plan Area, from Zone M-1B to Zone M-1A.

(Case-82-0348. District-4.)

Subitem-A: (R-83-265) CONTINUED TO DECEMBER 7, 1982, AT 10:30 A.M.

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0348 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.



Subitem-B: (O-83-51) CONTINUED TO DECEMBER 7, 1982, 10:30 A.M.

Introduction of an Ordinance for M-1A Zoning.

NOTE: Hearing open, no testimony taken on 9/28/82. Districts 1, 3 and Mayor not present.

FILE LOCATION: ZONE 10/12/82

COUNCIL ACTION: (Tape location: C004-090).

MOTION BY WILLIAMS TO CONTINUE TO DECEMBER 7, 1982, 10:30 A.M., AT PLANNING DEPARTMENT'S REQUEST ON BEHALF OF THE APPLICANT.

Second

by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-335:

19821012

(Continued from the meeting of August 23, 1982 at James Milch's request.)

Portions of Pueblo Lots 1237 and 1238 of the Pueblo Lands, Miscellaneous Map-36, (approximately 19.16 acres), located east of Regents Road between Conrad and Ogalala Avenues, in the Clairemont Mesa Community Plan Area. EIR- 81-04-05.

1) Rezoning the above described real property from Zone R-1-15 (Hillside Review) to Zone R-1-8 (Hillside Review). Case-5-81-031.

2) Appeal of Techbilt Construction Corporation, by James Milch, from the decision of the Planning Commission in denying Planned Residential Development PRD-20-231-0 to construct 100 residential units, in the R-1-5 and R-1-15 (Hillside Review) proposed R-1-5 and R-1-8 (Hillside Review) Zones, on the above described real property.

3) Appeal of Techbilt Construction Corporation, by James Milch, from the decision of the Planning Commission in denying Tentative Map TM-02-091-0 (Greenbelt) which proposes a two-lot subdivision of the above described real property.

(District-6.)

Subitem-A: (R-83-156) CONTINUED TO NOVEMBER 16, 1982, 8:30 A.M., TIME CERTAIN

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-81-04-05 has been completed in compliance with the California Environmental

Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-83- ) CONTINUED TO NOVEMBER 16, 1982, 8:30 A.M., TIME CERTAIN

Adoption of a Resolution granting or denying the appeal and the permit with appropriate findings to support Council action.

Subitem-C: (R-83- ) CONTINUED TO NOVEMBER 16, 1982, 8:30 A.M., TIME CERTAIN

Adoption of a Resolution granting or denying the appeal and the map with appropriate findings to support Council action.

Subitem-D: (O-83-37) CONTINUED TO NOVEMBER 16, 1982, 8:30 A.M., TIME CERTAIN

Introduction of an Ordinance for R-1-8 Zoning.

Subitem-E: (R-83- ) CONTINUED TO NOVEMBER 16, 1982, 8:30 A.M., TIME CERTAIN.

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-81-04-05.

NOTE: Hearing open, no testimony taken on 8/23/82. Districts 1, 4 and Mayor not present.

FILE LOCATION: Subitems A, B & C PERM PRD-20-231-0;

Subitem C SUBD Greenbelt; Subitem D ZONE 10/12/82  
COUNCIL ACTION: (Tape location: C104-D248;D294-F310).

Hearing began at 2:20 p.m. and recessed at 3:13 p.m. Hearing resumed at 3:17 p.m. and halted at 4:44 p.m.

Testimony in favor by L. Wolfsheimer, Lyle Gabrielson, and James Milch.

Testimony in opposition by Betsy Betraun, Sam Goldstein, Eloise Battle, Leland Stokes, Cecilia Carter-House, A. Casey, F. DelCover, Mary Chipps, and Felix George.

By common consent, Deputy Mayor Killea suspended the rules to allow thirty minutes testimony per side.

Deputy Mayor Killea closed the hearing.

Motion by Gotch to deny the appeal. No second.

MOTION BY MURPHY TO CONTINUE TO NOVEMBER 16, 1982, 8:30 A.M., TIME CERTAIN, TO ALLOW TIME FOR THE DEVELOPER AND RESIDENTS TO

GET

TOGETHER TO TRY TO EFFECT A COMPROMISE. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea,

Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea,  
Mayor Wilson-not present.

ITEM-336: (O-83-78) CONTINUED TO OCTOBER 25, 1982, 3:30 P.M.

Introduction of an Ordinance amending Chapter II, Article 3  
of the San Diego Municipal Code by adding Division 18 (Rule  
XVII of the Civil Service Commission Rules), Section 23.1801  
relating to Review of Contracts for Services as follows:

DIVISION 18

CONTRACTS FOR SERVICES

SEC. 23.1801 Review of Contracts for Services (Rule XVII of the  
Rules of the Civil Service Commission.)

All contracts for services shall be reviewed by the Civil  
Service Commission prior to execution to ensure compliance with  
the personnel-related provisions of the City Charter, Municipal  
Code, and Civil Service Commission Rules and Regulations.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: F350-379).

MOTION BY MURPHY TO CONTINUE TO OCTOBER 25, 1982 AT THE CITY  
MANAGER'S REQUEST. Second by Cleator. Passed by the following vote:  
Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not  
present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not  
present.

ITEM-337: (R-83-273) CONTINUED TO NOVEMBER 1, 1982, 4:00 P.M. TIME  
CERTAIN

Considering the protests, ordering the district formed,  
confirming the assessment and ordering the proposed maintenance  
in the matter of Sabre Springs Landscape and Lighting  
Maintenance District.

(Los Penasquitos and Pomerado Community Areas. Districts-1  
and 5.)

FILE LOCATION:

STRT M-66

COUNCIL ACTION: (Tape location: F350-379).

MOTION BY MURPHY TO CONTINUE TO NOVEMBER 1, 1982, 4:00 P.M., TIME  
CERTAIN. Second by Cleator. Passed by the following vote:  
Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not  
present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not  
present.

ITEM-338: (R-83-339) CONTINUED TO NOVEMBER 1, 1982, 4:00 P.M. TIME

Designating an area of benefit in Sabre Springs Community

Designating an area of benefit in Sabre Springs Community and the boundaries thereof, confirming the description of public facilities projects, the community financing plan and capital improvement program with respect to said public facilities projects, the method for apportioning the costs of said public facilities projects among the parcels within the area of benefit and the amount of the facilities benefit assessments charged to each such parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in facilities benefit assessments, and proceedings thereto, and ordering of proposed public facilities project in the matter of Sabre Springs Community Facilities Benefit Assessment Area.

(See City Manager Report CMR-82-343 and TLU Committee Consultant Analysis TLU-82-13. Located in both sides of Poway Road east of Interstate 15, north of Miramar Ranch North Community and south of Rancho Carmel Community. Sabre Springs Community Area. Districts-1 and 5.

FILE LOCATION:

STRT FB-9

COUNCIL ACTION: (Tape location: F350-379).

MOTION BY MURPHY TO CONTINUE TO NOVEMBER 1, 1982, 4:00 P.M. TIME CERTAIN. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ADDITIONAL BUSINESS:

MOTION BY WILLIAMS TO SUSPEND THE RULES TO RECONSIDER ITEM-333  
OF

AUGUST 17, 1982. Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-nay, Murphy-yea, Killea-nay, Mayor Wilson-

not present.

MOTION BY WILLIAMS TO REDOCKET ITEM-333 OF AUGUST 17, 1982, REGARDING PRD 20-258-0 AND TM 02-276-0 FOR RECONSIDERATION ON  
NOVEMBER 8, 1982, AT 3:00 P.M. Second

by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-nay, Mayor Wilson-not present.

ITEM-S400: (R-83-522) ADOPTED AS RESOLUTION R-257335

Authorizing the City Manager to charge a reduced annual fee of 30 percent of the annual rental for one mooring in Mission Bay to be used by a Sea Scout Troop sponsored by the San Diego Rowing Club.

(See City Manager Report CMR-82-192.)

COMMITTEE ACTION: Reviewed by PFR on 6/9/82. Recommendation to adopt the Resolution. Districts 2, 5, 6 and 7 voted yea. District 1 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A168-208).

MOTION BY CLEATOR TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S404: (R-83-521) ADOPTED AS RESOLUTION R-257336

Authorizing the execution of an option agreement with Mission Pacific Associates (MPA) pursuant to which MPA shall have a nine-month option to enter into a lease agreement for approximately 35 acres of City-owned property in the southeast corner of Mission Bay Park adjacent to Sea World Drive, which option shall provide consideration to the City of \$10,000 per month for the first six months, \$20,000 for the seventh month, \$22,500 for the eighth month, and \$25,000 for the ninth month; authorizing the execution of a lease agreement, upon satisfactory completion of the conditions of the option agreement and upon exercise of the option by MPA, for a term of fifty years, for the purpose of development and operation of a hotel and related facilities, with a construction period rent of \$12,500 per month and an initial minimum rent upon commencement of operations of \$50,000 per month against various percentages of gross income, with minimum rent adjustments every three years and percentage rate adjustments after seventeen years and each ten years thereafter; authorizing the execution of an operating agreement as additional consideration to the City, providing for the development and maintenance by MPA of the approximately 20-acre parcel adjacent to the lease parcel as and for a passive public park and which operating agreement provides for repair and maintenance of the park improvements for the entire term of the hotel lease by the Park and Recreation Department, or by contract, with annual reimbursement to the City from MPA for all maintenance and repair costs, and which operating agreement and hotel lease provides for reimbursement to MPA for MPA's actual costs of

constructing a public restroom within the 20-acre park, which reimbursement shall be in the form of credits against the hotel rents payable to City.

(See City Manager Report CMR-82-410 and PFR Committee Consultant Analysis PFR-82-29. Mission Bay Master Plan Community Planning Area. District-6.)

COMMITTEE ACTION: Reviewed by PFR on 10/6/82. Recommendation to adopt the Resolution and place on a Supplemental docket. Districts 2, 5, 6 and 7 voted yea. District 1 not present.

FILE LOCATION:

LEAS Mission Pacific Associates

COUNCIL ACTION: (Tape location: A522-540).

MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea,

\* ITEM-CS-1: (R-83-569) ADOPTED AS RESOLUTION R-257337

A Resolution adopted by the City Council in Closed Session on October 12, 1982:

Authorizing the City Manager to pay the sum of \$6,267.14 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from property damage to Carla Roberts. Authorizing the City Auditor and Comptroller to issue one check to the contractor doing the repairs, in the amount of \$6,267.14, made payable to LUTH AND TURLEY, INC., in full settlement of all claims.

FILE LOCATION:

MEET

\* ITEM-CS-2: (R-83-564) ADOPTED AS RESOLUTION R-257338

A Resolution adopted by the City Council in Closed Session on October 12, 1982:

Authorizing the City Manager to pay the total sum of \$30,000 in the settlement of Superior Court Case No. 445082, Carlton Eugene Horner, IV, etc. vs. The City of San Diego et al, and of each and every claim against the City, its agents and employees resulting from personal injury to Carlton Eugene Horner, IV. Authorizing the City Auditor and Comptroller to issue one check in the amount of \$30,000, made payable to "Clerk of the

Superior Court," in full settlement of the law

FILE LOCATION:

MEET

\* ITEM-CS-3: (R-83-610) ADOPTED AS RESOLUTION R-257339

A Resolution adopted by the City Council in Closed Session on October 12, 1982:

Authorizing the City Manager to pay the total sum of \$10,614.92 in the settlement of Superior Court Case No. 437090, Paula Ann Stuart vs The City of San Diego et al, and of each and every claim against The City of San Diego, its agents and employees, resulting from personal injury to Paula Ann Stuart. Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$10,614.92, made payable to Paula Ann Stuart and her attorney, Steve Boudreau, in full settlement of the lawsuit and of all claims.

FILE LOCATION:

MEET

ITEM-UC-1: (R-82-642) ADOPTED AS RESOLUTION R-257341

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Mayor Pete Wilson from the Council meetings of October 11 and 12, 1982, for the purpose of vacation.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: F380-395).

MOTION BY WILLIAMS TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea Cleator-yea Golding-yea Williams-yea Struiksma-not present Gotch-yea Murphy-yea Killea-yea Mayor Wilson-not present

ADJOURNMENT:

By common consent, the meeting was recessed at 5:13 p.m. by Chairperson Mitchell to convene at 1:30 p.m., October 14, 1982. The meeting was reconvened at the County Administration Building, 1600 Pacific Highway, San Diego, at 1:30 p.m., October 14, 1982, to discuss the matter of the SANDER project. The meeting was adjourned at 4:00 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: G040-100).